

Attention is respectfully directed to the cases of *In re Wertheim*, 191 USPQ 90 (CCPA 1976), and *In re Blaser*, 194 USPQ 122 (CCPA 1977). In the *Wertheim* case it was held that the disclosure of 20-60% solids content taught those skilled in the art that 35-60% was part of the invention, although the range of 35-60% was not expressly mentioned in the specification. Along the same lines in *Blaser*, the disclosure of 60°C to 200°C taught those skilled in the art that 80°C to 200°C was part of the applicant's invention, although the temperature of 80°C was not specifically mentioned in the specification.

The present invention is directed to providing a dispersion of a vinylidene fluoride polymer where the vinylidene fluoride polymer has a small particle size, preferably not more than 200 nm. In order to obtain such small particle sizes, the present specification describes the addition of a fluorine-containing surfactant in an amount of not more than 1% by weight on the basis of water into a dispersion containing 30 to 50 wt. % solids of the polymer. The present specification also explains that by changing the amount of surfactant and/or the amount of the polymer, the particle size can be adjusted. For example, as the amount of surfactant increases, the particle size decreases. On the other hand, as the amount of polymer (solids) decreases, the particle size also decreases. With these and other descriptions, applicant's specification disclosure explains the procedure of controlling the amount of surfactant and solid contents in order to obtain a desired small particle size. Accordingly,

applicant respectfully submits that the present specification disclosure would enable any person skilled in the art to prepare an aqueous dispersion of vinylidene fluoride polymer having a wide range of particle sizes including those within and outside the scope of the present claims.

The data set forth in the Comparative Example 4 in Table 1 on page 13 of applicant's specification disclosure demonstrates that an aqueous dispersion having an amount of surfactant and solid content within the presently claimed range, the particle size of the vinylidene fluoride polymer can be 320.1 nm. This taken together with the discussion in applicant's specification disclosure of varying the particle size by adjusting the amount of surfactant and/or solid content of polymer would lead one of ordinary skill in the art to understand that the present specification enables and provides a written description of any particle size within the ranges discussed in the present specification, including a particle size of up to 320.1 nm as set forth in Claim 1. Therefore, applicant respectfully submits that the limitation in Claim 1 of the particle size of not more than "320.1 nm" is supported in the originally filed specification disclosure and is not new matter.

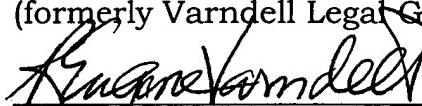
Therefore, applicant respectfully requests that the Examiner reconsider and withdraw this position set forth in the Advisory Action mailed on September 16, 1999.

While it is believed that the present application is in condition for allowance, should the Examiner have any comments, questions, or suggestions, it is respectfully requested that the undersigned be telephoned to resolve any outstanding issues.

In the event that this paper or the Continued Prosecution Application filed herewith is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee therefor, as well as any other fees that may become due, may be charged to our Deposit Account No. 22-0256.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The Commissioner is hereby authorized to charge the fee therefor, as well as any deficiency in the payment of the required fee(s) or credit any overpayment, to our Deposit Account No. 22-0256.

Respectfully submitted,
VARNDELL & VARNDELL, PLLC
(formerly Varndell Legal Group)


R. Eugene Varndell, Jr.
Attorney for Applicants
Registration No. 29,728

Atty. Case No.: VX961463A PCT
Suite 220, 1150 South Washington Street
Alexandria, VA 22314
(703) 683-9730
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